

MESSAGE NO: 0105205

MESSAGE DATE: 04/14/2000

MESSAGE STATUS: Active

CATEGORY: Antidumping

TYPE: FIN-Final Determination PUBLIC ☒

NON-PUBLIC ☐

SUB-TYPE:

FR CITE: FR

FR CITE DATE:

REFERENCE  
MESSAGE #  
(s):

CASE #(s): A-570-855

EFFECTIVE DATE:

COURT CASE #:

PERIOD OF REVIEW:

TO

PERIOD COVERED: 04/13/2000 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: NOTICE OF FINAL DETERMINATION IN THE ANTIDUMPING DUTY INVESTIGATION  
OF NON FROZEN APPLE JUICE FROM THE PEOPLE'S REBULIC OF CHINA (A-570-855)

MESSAGE NO: 0105205

DATE: 04 14 2000

CATEGORY: ADA

TYPE: FIN

REFERENCE:

REFERENCE DATE:

CASES: A - 570 - 855

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PERIOD COVERED: 04 13 2000 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, TRADE ENFORCEMENT & CONTROL

RE: NOTICE OF FINAL DETERMINATION IN THE ANTIDUMPING DUTY  
INVESTIGATION OF NON FROZEN APPLE JUICE FROM  
THE PEOPLE'S REBULIC OF CHINA (A-570-855)

1. ON APRIL 13, 2000, THE DEPARTMENT OF COMMERCE PUBLISHED IN  
THE FEDERAL REGISTER ITS FINAL DETERMINATION OF SALES AT LESS  
THAN FAIR VALUE IN THE ANTIDUMPING DUTY INVESTIGATION OF NON-  
FROZEN APPLE JUICE CONCENTRATE FROM THE PEOPLE'S REPUBLIC OF  
CHINA (PRC) (65 FR 19873).

2. FOR PURPOSES OF THIS INVESTIGATION, THE PRODUCT COVERED IS  
ALL NON-FROZEN CONCENTRATED APPLE JUICE WITH A BRIX VALUE OF 40  
OR GREATER, WHETHER OR NOT CONTAINING ADDED SUGAR OR OTHER

SWEETENING MATTER AND WHETHER OR NOT FORTIFIED WITH VITAMINS OR MINERALS. EXCLUDED FROM THE SCOPE OF THIS INVESTIGATION ARE FROZEN CONCENTRATED APPLE JUICE, NON-FROZEN CONCENTRATED APPLE JUICE THAT HAS BEEN FERMENTED, AND NON-FROZEN CONCENTRATED APPLE JUICE TO WHICH SPIRITS HAVE BEEN ADDED.

THE MERCHANDISE SUBJECT TO THIS INVESTIGATION IS CLASSIFIED IN THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES ("HTSUS") AT SUBHEADINGS 2009.70.00.20 AND 2106.90.52.00. ALTHOUGH THE HTSUS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES,

THE WRITTEN DESCRIPTION OF THE MERCHANDISE UNDER INVESTIGATION IS DISPOSITIVE.

3. FOR FURTHER REPORTING PURPOSES THIS CASE HAS BEEN ASSIGNED INVESTIGATION NUMBER A-570-855.

4. FOR IMPORTS OF NON-FROZEN APPLE JUICE CONCENTRATE FROM THE PRC, EXCEPT FOR NON-FROZEN APPLE JUICE CONCENTRATE MANUFACTURED

AND EXPORTED BY YANTAI NORTH ANDRE JUICE CO., LTD. (CUSTOMS ID# A-

570-855-001) (NORTH ANDRE) WHICH HAS A ZERO MARGIN, THE CUSTOMS SERVICE SHALL CONTINUE TO SUSPEND LIQUIDATION OF SUCH SHIPMENTS ENTERED OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION ON OR AFTER

NOVEMBER 23, 1999. EFFECTIVE APRIL 13, 2000, FOR SUCH ENTRIES, CUSTOMS SHALL REQUIRE A CASH DEPOSIT OR THE POSTING OF A BOND EQUAL TO THE MARGINS SHOWN BELOW:

MFR/PRODUCER EXPORTER	CUSTOMS ID NUMBER	MARGIN PERCENT	CRITICAL CIRCUMSTANCES
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SHAANXI HAISHENG  
FRESH FRUIT  
JUICE CO., LTD.

(HAISHENG)	A-570-855-002	12.90	NO
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SANMENXIA LAKESIDE

FRUIT JUICE CO., LTD

(LAKESIDE) A-570-855-003 28.54 YES

SHANDONG ZHONGLU CO, LTD.;

RUSHAN SHANGJIN-ZHONGLU FOODSTUFF CO., LTD.;

SHANGDONG LULING FRUIT JUICE CO.; AND,

RUSHAN DONGJIN FOODSTUFFS

(ZHONGLU) A-570-855-004 9.40 NO

YANTAI ORIENTAL

JUICE CO., LTD.

(ORIENTAL) A-570-855-005 9.96 NO

QINGDAO NANNAN

FOODS CO., LTD.

(NANNAN) A-570-855-006 26.43 YES

SHAANXI MACHINERY &

EQUIPMENT IMPORT &

EXPORT CORP. (SAAME) A-570-855-007 51.74 YES

XIAN ASIA QIN

FRUIT CO., LTD.

(ASIA FRUIT) A-570-855-008 15.36 NO

XIAN YANG FUAN

JUICE CO., LTD.

(FUAN) A-570-855-009 15.36 NO

CHANGSHA INDUSTRIAL PRODUCTS &

MINERALS IMPORT AND

EXPORT CO., LTD.

(CHANGSHA) A-570-855-010 15.36 NO

SHANDONG FOODSTUFFS IMPORT

AND EXPORT CORPORATION

(SHANDONG

FOODSTUFFS) A-570-855-011 15.36 NO

PRC-WIDE RATE            A-570-855-000   51.74       YES  
(EXCEPT THE FIRM  
SPECIFICALLY NAMED  
IN PARAGRAPH 7)

5. BECAUSE THE DEPARTMENT OF COMMERCE NOW DETERMINES THAT CRITICAL CIRCUMSTANCES DO NOT EXIST FOR HAISHENG, ASIA FRUIT, FUAN, CHANGSHA, AND SHANDONG FOODSTUFFS, THE RETROACTIVE SUSPENSION OF LIQUIDATION ORDERED AT THE TIME OF THE PRELIMINARY DETERMINATION IS DISCONTINUED. ACCORDINGLY, CUSTOMS IS DIRECTED TO DISCONTINUE THE SUSPENSION OF LIQUIDATION FOR ALL SHIPMENTS OF NON-FROZEN APPLE JUICE CONCENTRATE FROM THE PRC BY HAISHENG, ASIA FRUIT, FUAN, CHANGSHA, AND SHANGDONG FOODSTUFFS, ENTERED OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION PRIOR TO NOVEMBER 23,

1999, AND TO REFUND ANY CASH DEPOSITS AND RELEASE ANY BONDS OR OTHER SECURITY. INTEREST PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930 DO NOT APPLY.

6. THE DEPARTMENT OF COMMERCE DETERMINES THAT CRITICAL CIRCUMSTANCES EXIST FOR IMPORTS OF NON-FROZEN APPLE JUICE CONCENTRATE FROM THE PRC EXPORTED BY LAKESIDE, NANNAN, SAAME, AND ALL OTHER PRC FIRMS NOT NAMED IN PARAGRAPH 5. THEREFORE, FOR THESE COMPANIES, THE CUSTOMS SERVICE SHALL CONTINUE TO SUSPEND LIQUIDATION OF SUCH SHIPMENTS THAT ARE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER AUGUST 25, 1999.

7. THE DEPARTMENT FOUND THAT NO FINAL MARGIN EXISTS WITH RESPECT TO NON-FROZEN APPLE JUICE CONCENTRATE BOTH MANUFACTURED

AND EXPORTED BY NORTH ANDRE. ACCORDINGLY, CUSTOMS IS DIRECTED TO DISCONTINUE ANY SUSPENSION OF LIQUIDATION OF SHIPMENTS OF NON-FROZEN APPLE JUICE CONCENTRATE BOTH MANUFACTURED AND EXPORTED BY

NORTH ANDRE, ENTERED OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION

ON OR AFTER NOVEMBER 23, 1999, AND TO REFUND ANY CASH DEPOSITS

AND RELEASE ANY BONDS OR OTHER SECURITY. INTEREST PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930 DO NOT APPLY.

8. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, PLEASE CONTACT, VIA E-MAIL, THROUGH THE APPROPRIATE SUPERVISORY CHANNELS, OTHER GOVERNMENT AGENCY LIAISON, USING THE ATTRIBUTE "HQ OAB." THE IMPORTING PUBLIC AND OTHER INTERESTED PARTIES SHOULD CONTACT CRAIG MATNEY, OFFICE OF AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-1778, RESPECTIVELY.

9. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

PAUL

SCHWARTZ

## Company Details

\*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party